

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 DUNCAN J. McNEIL,  
8 )  
9 )  
10 )

11 Plaintiff,  
12 )  
13 )  
14 )

15 vs.  
16 )

No. CV-05-388-AAM

**ORDER OF DISMISSAL**

17 UNITED STATES, et al.,  
18 )  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

Defendants.

This action was transferred here from the Western District of Louisiana.<sup>1</sup> It is largely identical to other actions which have been filed in other districts in an effort to circumvent the undersigned's pre-filing review order and a subsequent order barring plaintiff from proceeding *in forma pauperis* on any matter. For reasons already set forth in the orders of dismissal entered in those other actions (Ct. Rec. 5 in CV-05-200-AAM; Ct. Rec. 8 in 05-211-AAM; Ct. Rec. 6 in 05-218-AAM; Ct. Rec. 13 in 05-249-AAM; Ct. Rec. 6 in 05-263-AAM; Ct. Rec. 8 in 05-281-AAM; Ct. Rec. 6 in 05-291-AAM; Ct. Rec. 8 in 05-295-AAM; and Ct. Rec. 12 in 05-304-AAM), this action is also **DISMISSED with prejudice**.

Plaintiff shall not be allowed to file any further documents in the captioned matter, with

<sup>1</sup> Just recently, this court received notice that the Eastern District of Louisiana had dismissed a similar action filed by plaintiff, finding that dismissal was the appropriate route as opposed to transferring the action to the Eastern District of Washington.

1 the exception of a Notice of Appeal to the Ninth Circuit Court of Appeals. If plaintiff chooses to  
2 appeal, this order serves as this court's notice that the appeal is not taken in good faith and will  
3 not be certified for appeal by this court. 28 U.S.C. §1915(3) and Fed. R. App. P. 24(a). The  
4 effect of this is that this court will not allow plaintiff to proceed *in forma pauperis* on appeal, nor  
5 appoint him counsel on appeal.

6 **IT IS SO ORDERED.** The District Executive shall enter judgment accordingly and  
7 forward a copy of the judgment and this order to plaintiff McNeil, and CLOSE the file.

8 **DATED** this 22<sup>nd</sup> of December, 2005.

9  
10 s/ Alan A. McDonald  
ALAN A. McDONALD  
11 Senior United States District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28